

Approved pursuant to the Delegated Authority contained in Government Management Committee Item GM6.18 entitled "Policy with Respect to the Sale/Disposition of Land", as adopted by City Council on July 16, 17, 18 & 19, 2007. City of Toronto Municipal Code Chapter 213, Real Property, Sale of, adopted by By-law No. 814-2007.

Prepared By:	Irina Fofanova	Division:	Real Estate Services
Date Prepared:	September 3, 2019	Phone No.:	416-397-0806
Purpose:	To declare surplus the City-owned "L" shaped public lane south of Queen Street extending westerly from Ontario Street and southerly to Richmond Street East (the "Lane") and to authorize the invitation of an offer to purchase the property from Richmond Residential Limited Management ("RRLM"), conditional upon City Council approving the permanent closure of the Lane and subject to granting the required easements.		
Property:	The Lane is legally described as PT TOWNLT 1 S/S Queen ST E, 1 N/S Duchess St PL Town of York Toronto; PT LT 4 S/S Queen St, 5 N/S Duchess St, 5 S/S Queen St, 6 N/S Duchess St PL 124 Toronto; City of Toronto, and PT LT 5 N/S Duchess ST PL 124 Toronto as in OR32902; City of Toronto; and shown as Part 1 on Sketch No. PS-2016-125, attached hereto as Appendix "A".		
Actions:	<ol style="list-style-type: none"> 1. The Lane be declared surplus conditional upon City Council approving the permanent closure of the Lane and an offer to purchase the Lane be invited from the abutting land owner, RRLM. 2. Notice be published in a newspaper in circulation in the area of the Lane and be posted on the City's website. 3. All steps necessary to comply with the City's real estate disposal process, as set out in Chapter 213 of the City of Toronto Municipal Code, be taken. 		
Financial Impact:	There are no financial implications resulting from this approval. The Chief Financial Officer & Treasurer has reviewed this DAF and agrees with the financial impact information.		
Background:	<p>In 2016, RRLM submitted a development application for the lands bounded by Queen Street East to the north, Ontario Street to the east, Richmond Street East to the south and McFarrens Lane to the west. The development application was appealed to the Local Planning Appeal Tribunal.</p> <p>Pursuant to Item CC44.36 as adopted by City Council at its meeting held on July 23, 2018 (later amended by Item CC5.9 as adopted by City Council at its meeting held on March 27, 2019), City Council accepted a settlement offer supporting the development application.</p> <p>Transportation Services has advised that it is feasible to close the Lane and has directed Real Estate Services to initiate the disposal process.</p> <p>The following utilities are currently located within the Lane and will require easements to be granted prior to the sale of the Lane:</p> <ul style="list-style-type: none"> • The City has an active 300 mm diameter combined sewer and a 4 catch basins located within the Lane • Toronto Hydro has secondary overhead power line within the Lane • Bell Canada has aerial cable within the Lane • Enbridge has existing gas pipes within the Lane • Any other normal utility easements. 		
Comments:	A circulation to the City's Divisions and Agencies was undertaken to ascertain whether or not there is any municipal interest in retaining the Lane. No municipal interest was expressed. Staff of the Housing Secretariat has determined that there is no interest in the Lane for affordable housing. Accordingly, it is appropriate that the Lane be declared surplus. The Technical Review Committee has reviewed this matter and concurs.		
Property Details:	Ward:	13 - Toronto Centre	
	Assessment Roll No.:	N/A	
	Approximate Size:	Irregular	
	Approximate Area:	944.1 m ² ± (10,162 ft ² ±)	
	Other Information:		
	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Lands are located within the Green Space System or the Parks & Open Space Areas of the Official Plan.		

Pre-Conditions to Approval:

- (1) **Highways** - The General Manager of Transportation Services has concurred in the Highway being declared surplus conditional upon City Council approving the permanent closure of the Highway.
- (2) **Lands located within the Green Space System and the Parks & Open Space Areas of the Official Plan** - The Chief Planner & Executive Director of City Planning and the General Manager of Parks, Forestry & Recreation have confirmed that the land being exchanged is (i) nearby land of equivalent or larger area, and (ii) of comparable or superior green space utility.

Deputy City Manager, Corporate Services has approval authority for:

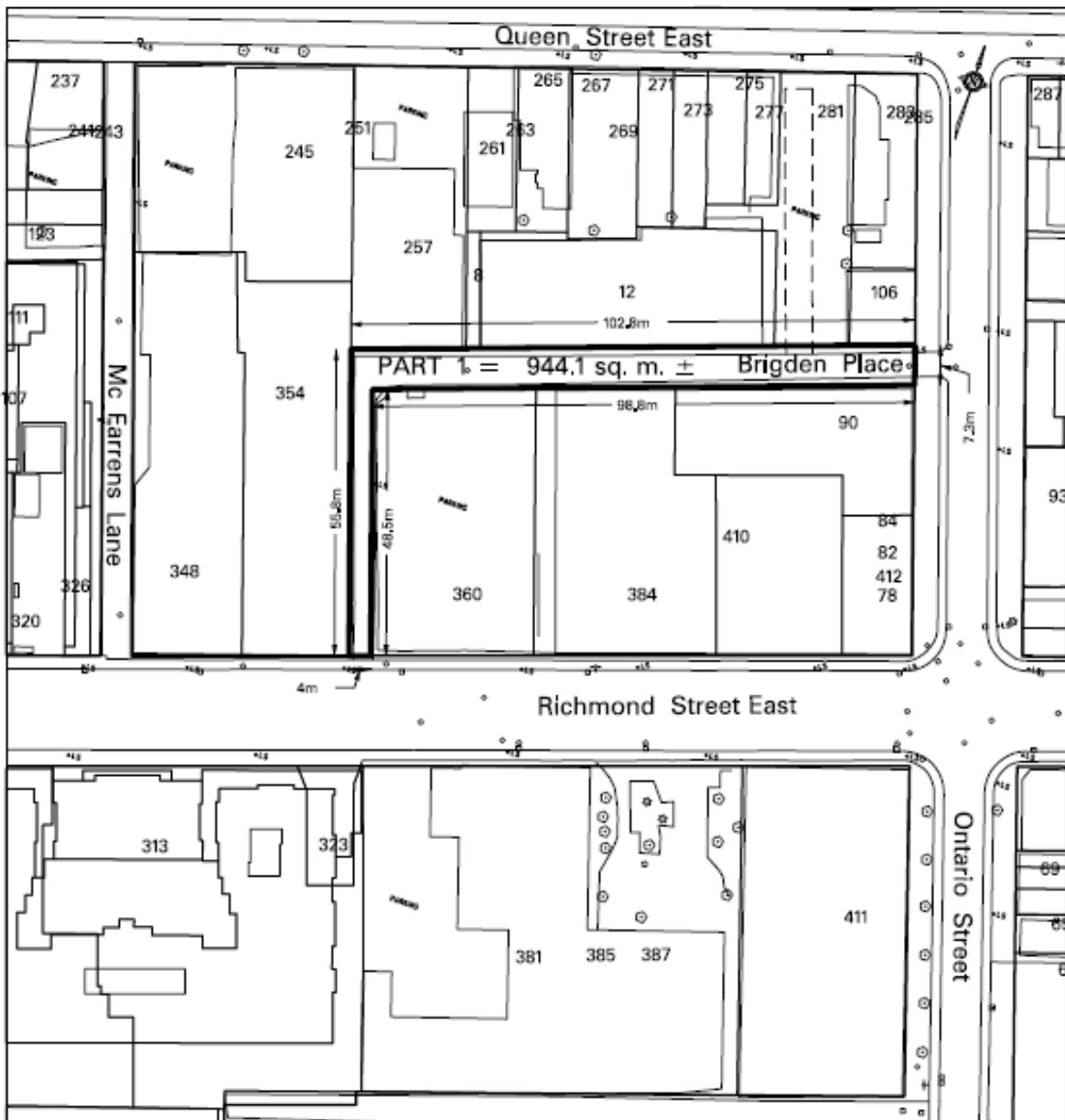
- A (1) declaring land surplus and approving the intended manner or process by which the sale of the land will be carried out, provided that the local Councillor does not require the matter to be determined by Council through the General Government and Licensing Committee (§ 213-6).
 - Councillor does not require the declaration of surplus or the intended manner or process by which the sale of the land will be carried out to be determined by Council.
- (2) determining the method of giving notice to the public, following consultation with the local Councillor (§ 213-7).
 - Councillor has been consulted regarding method of giving notice to the public.
- (3) exempting sales to the following public bodies from the requirement for an appraisal, provided that the local Councillor (or if the land abuts other wards, the local Councillors) does not require the determination to be made by Council (§ 213-4):
 - (a) a municipality
 - (b) a local board, including a school board and a conservation authority
 - (c) the Crown in right of Ontario or Canada and their agencies
 - n/a Councillor(s) agrees with exemption from appraisal. **[Revise box to an x if any of (3)(a)-(c) applies.]**
- (4) exempting the sale of land in the following classes from the requirement for an appraisal and/or for notice to the public, provided that the local Councillor(s) (if the land abuts other wards) does not require the determination to be made by Council (§ 213-5):
 - (a) land 0.3 metres or less in width acquired in connection with an approval or decision under the *Planning Act*
 - (b) closed highways if sold to an owner of land abutting the closed highways
 - (c) land formerly used for railway lines if sold to an owner of land abutting the former railway land
 - (d) land does not have direct access to a highway if sold to the owner of land abutting that land
 - (e) land repurchased by an owner in accordance with section 42 of the *Expropriations Act*
 - (f) easements
 - n/a Councillor(s) agrees with exemption from appraisal. **[Revise box to an x if any of (4)(a)-(f) applies.]**
 - n/a Councillor(s) agrees with exemption from notice to the public. **[Revise box to an x if any of (4)(a)-(f) applies.]**
- (5) revising the intended manner of sale.
- (6) rescinding the declaration of surplus authority.

Title	Date	Recommended/ Approved
Acting Manager Daran Somas	Sept. 4, 2019	Signed by Daran Somas
Director, Real Estate Services Nick Simos	Sept. 5, 2019	Signed by Nick Simos
Deputy City Manager, Corporate Services Josie Scioli	Sept. 10, 2019	Signed by Josie Scioli
Return to: Irina Fofanova, Property Officer		

Consultation with Councillor(s):					
Councillor:	Kristyn Wong-Tam - August 22, 2019				
Contact Name:	Edward LaRusic				
Contacted by	Phone	<input checked="" type="checkbox"/>	E-mail	Memo	Other
Comments:	<ul style="list-style-type: none"> • No objections with recommendations • Does not require the matter to be determined by Council • Does not require further consultation re: public notice 				
Councillor:					
Contact Name:					
Contacted by	Phone		E-mail	Memo	Other
Comments:					

Consultation with other Division(s):			
Division:	Transportation Service/City Planning	Division:	
Contact Name:	Lukasz Pawlowski	Contact Name:	Filisha Jenkins - July 25, 2019
Comments:		Comments:	
Real Estate Law Contact:	Gloria Lee - August 30, 2019	Date:	

Appendix A - Sketch No. PS-2016-125



PROPERTY INFORMATION SHEET
 SKETCH SHOWING THE PUBLIC LANE KNOWN AS
 BRIGDEN PLACE

NOTE:
 THIS SKETCH HAS BEEN
 COMPILED FROM OFFICE
 RECORDS. MEASUREMENTS
 ARE APPROXIMATE

CHECK BY JOHN HOUSE
 PREPARED BY DWAYNE FITT

WARD 28 - TORONTO CENTRE-ROSEDALE
 DATE: SEPTEMBER 27, 2016

SKETCH No. PS-2016-125